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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,834	09/30/2003	Rene Bitsch	M61.12-0531	4476

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EXAMINER
LY, ANH

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
12/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/674,834	BITSCH ET AL.
	Examiner	Art Unit	
	Anh Ly	2162	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE , **4-13** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 October 2007</u>.

2a) ☒ This action is **FINAL**.　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,4-19 and 41</u> is/are pending in the application.

　　4a) Of the above claim(s) <u>2,3 and 20-40</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1, 4-19 and 41</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　　1. ☐ Certified copies of the priority documents have been received.

　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date: _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

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    4a) Of the above claim(s) <u>2,3 and 20-40</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1, 4-19 and 41</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

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Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office action is response to Applicants' AMENDMENT filed on 10/04/2007.

2.   Claims 2-3, 20, and 21-40 were cancelled.

3.   Claim 41 has been added.

4.   Claims 1, 4-19 and 41 are pending in this Application.

Response to Arguments

5.   Applicant's arguments with respect to claims 1-20 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1, 4, 9-10 and 41 are rejected under 35 U.S.C. 102(e) as being

anticipated by US Patent No.: 6,678,868 B1 issued to Sugimoto et al. (hereinafter

Sugimoto).

With respect to claim 1, Sugimoto teaches a computer-implemented method of

creating a new label in a computer-implemented business integration system, wherein

the new label is a computer- implemented user interface element configured to identify

a control within a user interface associated with the business integration system (a new

label is generated via a system as shown in fig. 1 and display label on the display

screen), the method comprising:

receiving data at an interface indicating a desired text for the new label (fig. 2,

user interface for receiving input text for new label via keyboard: col. 9, lines 30-45);

searching a label database for indications of existing labels that include text

matching the desired text, wherein existing labels represented in the label database are

computer-implemented user interface elements (searching label from a label information

database: col. 17, lines 25-30; the matched label is display, otherwise that label is

disable: col. 16, lines 22-30); and

returning to a user, based at least in part on the results of the search of the label

database, a list of existing labels that include text matching the desired

text (when matching the label is displayed to the user via display screen: col. 16, lines

22-30).

With respect to claim 4, Sugimoto teaches creating a new object in the label

database for the new label (when new label is acquired, the user starts the browser,

click on the icon and new label information is created and to be for selection in the

window: col. 22, lines 28-45).

With respect to claim 9, Sugimoto teaches storing the new label in the label database (storing label in a label information database: col. 6, lines 15-25 and col. 8, lines 52-60).

With respect to claim 10, Sugimoto teaches receiving data at the interface indicating how the new label is to be used (fig. 2, user interface for receiving input text for new label via keyboard: col. 9, lines 30-45).

With respect to claim 41, Sugimoto teaches a computer-implemented method of creating a new label in a computer-implemented business integration system, wherein the new label is a computer-implemented user interface element configured to identify a control within a user interface associated with the business integration system (a new label is generated via a system as shown in fig. 1 and display label on the display screen), the method comprising:

receiving data at an interface indicating how the new label is to be used (fig. 2, user interface for receiving input text for new label via keyboard: col. 9, lines 30-45);

searching a label database for indications of existing labels, wherein searching comprises searching based at least in part on the data indicating how the new label is to be used, and wherein the existing labels represented in the label database are computer-implemented user interface elements configured to identify a control within the business solution software system (fig. 1, searching label from a label information database: col. 17, lines 25-30; the matched label is display, otherwise that label is disable: col. 16, lines 22-30); and

returning to a user, based at least in part on the results of the search of the label

database, a list of existing labels (when matching the label is displayed to the user via

display screen: col. 16, lines 22-30).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 5-8 and 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Patent No.: 6,678,868 B1 issued to Sugimoto et al. (hereinafter Sugimoto) in

view of Pub. No.: US 2003/0004946 A1 of VanDenAvond et al. (VanDenAvond).

With respect to claim 5, Sugimoto teaches a method of creating a new label in a business integration system as discussed in claim 1.

Sugimoto teaches receiving text for searching, matching against label information database, creating and returning by displaying the label text to the user. Sugimoto does not explicitly teach assigning a GUID for the new label; and receiving a category code for the new label and storing versions of the text for the label in a record in a label text database.

However, VanDenAvond teaches a unique template ID is automatically assigned by system and UPC code for each label and categories (sections 0052, 0059-0060, and 0072).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sugimoto with the teachings of VanDenAvond. One having ordinary skill in the art would have found it motivated to utilize the use of creating and maintaining label record and setting the publication status of the label record as disclosed (VanDenAvond's sections 0002 and 0005), into the system of Sugimoto for the purpose of ensuring compliance with label regulations across all of the products, thereby, being a significant challenge for an organization and eliminating redundancies and inefficiencies processes (VanDenAvond's sections 0003 and 0009).

With respect to claims 6-8, Sugimoto teaches a method of creating a new label in a business integration system as discussed in claim 1.

Sugimoto teaches receiving text for searching, matching against label information database, creating and returning by displaying the label text to the user. Sugimoto does not explicitly teach receiving data at the interface indicating a category code for the new label, receiving data at the interface indicating a description for the new label, wherein receiving data at the interface indicating a description includes receiving a namespace and receiving data at the interface indicating an original language for the new label.

However, VanDenAvond teaches categories, description for label, language written the new label (sections 0026, 0044, 0050, 0056 and 0060, see figs. 3 and 5; selecting one or more language for label and enter translation text: section 0069 and fig. 11).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sugimoto with the teachings of VanDenAvond. One having ordinary skill in the art would have found it motivated to utilize the use of creating and maintaining label record and setting the publication status of the label record as disclosed (VanDenAvond's sections 0002 and 0005), into the system of Sugimoto for the purpose of ensuring compliance with label regulations across all of the products, thereby, being a significant challenge for an organization and eliminating redundancies and inefficiencies processes (VanDenAvond's sections 0003 and 0009).

With respect to claim 11 and 13, Sugimoto teaches a method of creating a new label in a business integration system as discussed in claim 1.

Sugimoto teaches receiving text for searching, matching against label information database, creating and returning by displaying the label text to the user. Sugimoto does not explicitly teach comparing the indicated use of the selected records with the indicated use of the new label, and ordering the selected records based on the degree of match relative to the desired text and indicated use of the new label, and having a closest match to the desired text are displayed first.

However, VanDenAvond teaches placing order or request to a label (sections 0028 and 0063); comparing the selected label record (section 0074).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sugimoto with the teachings of VanDenAvond. One having ordinary skill in the art would have found it motivated to utilize the use of creating and maintaining label record and setting the publication status of the label record as disclosed (VanDenAvond's sections 0002 and 0005), into the system of Sugimoto for the purpose of ensuring compliance with label regulations across all of the products, thereby, being a significant challenge for an organization and eliminating redundancies and inefficiencies processes (VanDenAvond's sections 0003 and 0009).

With respect to claim 12, Sugimoto teaches wherein returning to the user the list of existing labels comprises displaying the list of existing labels (the label is displayed to the user via display screen: col. 16, lines 22-30).

With respect to claims 14-15, Sugimoto teaches a method of creating a new label in a business integration system as discussed in claim 1.

Sugimoto teaches creating a new label in business environment, searching the label with text or description against a database consisting of a plurality of labels stored in the memory of the integrating label system. Sugimoto does not clearly teach receiving an indication that one record in the list of matches is a desired entry; selecting that entry as the new label text, receiving a selection of a label from the list of existing labels; and comparing the indicated use of the selected label against the indicated use of the new label.

However, VanDenAvond teaches comparing the selected label record (section 0074) and a unique template ID is automatically assigned by system and comparing categories (sections 0052, 0056-0059 and figs. 4 and 5; also sections 0026 and 0044)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sugimoto with the teachings of VanDenAvond. One having ordinary skill in the art would have found it motivated to utilize the use of creating and maintaining label record and setting the publication status of the label record as disclosed (VanDenAvond's sections 0002 and 0005), into the system of Sugimoto for the purpose of ensuring compliance with label regulations across all of the products, thereby, being a significant challenge for an organization and eliminating redundancies and inefficiencies processes (VanDenAvond's sections 0003 and 0009).

With respect to claims 16-17, Sugimoto teaches a method of creating a new label in a business integration system as discussed in claim 1.

Sugimoto teaches creating a new label in business environment, searching the label with text or description against a database consisting of a plurality of labels stored in the memory of the integrating label system. Sugimoto does not clearly teach determining that the indicated use of the selected label is not the same as the indicated use of the new label; duplicating the selected label to the new label in the label database; and duplicating any translations in a label text database to the record in the label text database for the new label any translations in the label text database for the selected label.

However, VanDenAvond teaches maintaining duplicate label records and controlling by record ID (sections 0043) and translating available labels (section 0065).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sugimoto with the teachings of VanDenAvond. One having ordinary skill in the art would have found it motivated to utilize the use of creating and maintaining label record and setting the publication status of the label record as disclosed (VanDenAvond's sections 0002 and 0005), into the system of Sugimoto for the purpose of ensuring compliance with label regulations across all of the products, thereby, being a significant challenge for an organization and eliminating redundancies and inefficiencies processes (VanDenAvond's sections 0003 and 0009).

With respect to claims 18-19, Sugimoto teaches a method of creating a new label in a business integration system as discussed in claim 1.

Sugimoto teaches creating a new label in business environment, searching the label with text or description against a database consisting of a plurality of labels stored in the memory of the integrating label system. Sugimoto does not clearly teach associating an ID of the selected label with the new label; and determining that the indicated use of the selected label is the same as the indicated use of the new label; and using the selected label for the new label.

However, VanDenAvond teaches selecting and creating new label based on the ID label (section 0059); determining the category of the label (section 0044) and generating new translations for text of label (sections 0043 and 0069), entering the ID for the desired selected label (0072) and translating available labels (section 0065).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sugimoto with the teachings of VanDenAvond. One having ordinary skill in the art would have found it motivated to utilize the use of creating and maintaining label record and setting the publication status of the label record as disclosed (VanDenAvond's sections 0002 and 0005), into the system of Sugimoto for the purpose of ensuring compliance with label regulations across all of the products, thereby, being a significant challenge for an organization and eliminating redundancies and inefficiencies processes (VanDenAvond's sections 0003 and 0009).

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ANH LY, whose telephone number is (571) 272-4039 or

via e-mail: ANH.LY@USPTO.GOV (written authorization being given by Applicant(s) -

MPEP 502.03 [R-2]) or fax to (571) 273-4039 (unofficial fax number direct to Examiner's

office). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30

AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, **John Breene,** can be reached on **(571) 272-4107.**

       Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed

to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to:

Central Fax Center: (571) 273-8300.

                                    Primary Patent Examiner
                            /mf Jean Marie Fleurentin
                                    TC 2160

ANH LY
DEC 6th, 2007